

**§ 120-10.3. Initiating a contest.**

(a) Who May Initiate. – A contest may be initiated only by a contestant by the filing of a written notice of the intent to petition for a contest in accordance with this section.

(b) When May Initiate. – The notice of intent may be filed no earlier than the date provided in G.S. 163A-1172 for the canvass by the board of elections with jurisdiction for the office under G.S. 163A-1171. The notice of intent must be filed no later than the latter of: (i) 10 days after a certificate of election has been issued, or (ii) 10 days after the conclusion of the election protest procedure under Part 4 of Article 20 of Chapter 163A of the General Statutes, but in no event may a contestant initiate a contest later than 30 days after the convening of a regular or special session of the General Assembly next after the election.

(c) Content of Notice. – A notice of intent shall state the grounds for the contest. The grounds shall be either or both of the following:

- (1) Objections to the eligibility or qualifications of the contestee as a candidate in the election based on specific allegations.
- (2) Objections to the conduct or results of the election accompanied by specific allegations that if proven true would have a probable impact on the outcome of the election.

The notice of intent shall also state that a contestee shall file an answer to the notice of intent in accordance with G.S. 120-10.4. The notice of intent shall be signed by the contestant and shall be verified in accordance with Rule 11(b) of the Rules of Civil Procedure. (2005-3, s. 2; 2017-6, s. 3.)